



IAP13 Rec'd PCT/PTO 16 FEB 2007 PCT \$

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Dated: February 12, 2007
Signature: *Shelley C. Danek*
(Shelley C. Danek)

Docket No.: 30610/40661
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Rudolf Moser et al.

Application No.: 10/579,106 (U.S. National Stage of
PCT/US2004/038313)

Confirmation No.: 6288

I.A. Filed: November 17, 2004

Art Unit: Not Yet Assigned

For: Process for Preparing Tetrahydrobiopterin and
Analogues of Tetrahydrobiopterin

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC §371
AND FIRST PRELIMINARY AMENDMENT**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This paper is filed in response to a Notice of Missing Requirements under 35 USC §371 in the above-mentioned application, dated December 12, 2006. Applicants respectfully submit an executed Declaration and Part 2 Copy of Notice. Applicants request that a preliminary amendment be entered before calculation of the excess claims fees. A check for the amount of \$1880 is enclosed to cover the claims fees and the \$130 surcharge. No other fees are believed to be due, however, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30610/40661. A duplicate copy of this paper is enclosed.

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01 FC:1611
02 FC:1615
03 FC:1614

130.00 OP
950.00 OP
800.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.

10/579,106

FIRST NAMED APPLICANT

Rudolf Moser

ATTY. DOCKET NO.

30610/40661

04743

MARSHALL, GERSTEIN & BORUN LLP
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INTERNATIONAL APPLICATION NO.

PCT/US04/38313

I.A. FILING DATE

11/17/2004

PRIORITY DATE

11/17/2003

RECEIVED

DEC 20 2006

MARSHALL GERSTEIN

CONFIRMATION NO. 6288

371 FORMALITIES LETTER



OC000000021555185

Date Mailed: 12/12/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/12/2006
- Copy of the International Search Report filed on 05/12/2006
- U.S. Basic National Fees filed on 05/12/2006
- Specification filed on 05/12/2006
- Claims filed on 05/12/2006
- Abstracts filed on 05/12/2006
- Drawings filed on 05/12/2006

Docketed: 2-12-07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$8250 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$8680** for a Large Entity:

- **\$130 Surcharge.**
 - The application search fee has not been paid. Applicant must submit **\$100** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
 - The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 8250**
 - **\$2800** for **14** independent claims over 3.
 - **\$5450** for **109** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,106	PCT/US04/38313	30610/40661